

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DB STRUCTURED PRODUCTS, INC.,

Plaintiff,

-against-

BALTIMORE AMERICAN MORTGAGE
CORPORATION, INC.,

Defendant.

ECF CASE

07 Civ. 4109 (DLC)(KNF)

PROPOSED FINDINGS OF FACT

1. On May 3, 2007 Plaintiff properly demanded that Defendant repurchase the following loans: Loan number 112685803 to borrower Marriet Torry, Loan number 112116919 to borrower David Wells, Loan numbers 111921945 and 111921946 to borrower David Buta, Loan numbers 112354618 and 112359361 to borrower Corey Gonnella, Loan numbers 111774743 and 111774744 to borrower Demetria Monroe, Loan number 111653509 to borrower Neil Hall, Loan number 110576416 to borrower Michael Hawkins, Loan number 110813624 to borrower Phyllis Hector, Loan number 111177577 to borrower Edward McIntyre, Loan number 112256371 to borrower Silifat Ogunremi, Loan number 112735608 to borrower Thomas Robinson and Loan number 112256381 to borrower Blossom Smith (collectively, the “Early Payment Default Loans”).

2. Defendant did not repurchase any of the Early Payment Default Loans. (RFA at ¶ 15)

3. The Repurchase Price for the Early Payment Default Loans, as defined in the Deutsche Bank Correspondent Lending Seller Guide is \$1,991,036.86, which consists of an unpaid principal balance of \$1,767,732.19, accrued unpaid interest of \$202,878.28 and the premium paid by Plaintiff of \$20,426.39.

4. The amount of reasonable attorneys' fees is \$39,129.49.

5. Judgment against Defendant should therefore be entered in the amount of 2,030,166.35 as of May 21, 2008, with interest to accrue at a rate of \$434.70 per day through the date of payment in full of the judgment.

Dated: New York, New York
May 21, 2008

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